



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Northwest Region
7600 Sand Point Way N.E., Bldg. 1
Seattle, WA 98115

Refer to:
OSB2000-0063

April 26, 2000

Mr. Fred Patron
Federal Highway Administration
The Equitable Center, Suite 100
530 Center Street NE
Salem, OR 97301

Re: Biological Opinion for the Austin Junction - Baker County Line Section Project

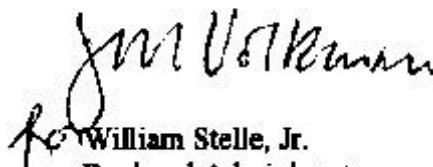
Dear Mr. Patron:

The National Marine Fisheries Service (NMFS) has enclosed the Biological Opinion (Opinion) that addresses your proposed project to modernize a 10-mile section of US 26 located east of Austin Junction in Grant County, Oregon. NMFS received the Biological Assessment (BA) and request for consultation on March 9, 2000. The Federal Highway Administration (FHWA) is funding the proposed repair and is the lead action agency. Oregon Department of Transportation (ODOT) is the designer for the project, and will administer the construction contract.

This Opinion considers the potential effects of the project on the Middle Columbia River steelhead (*Oncorhynchus mykiss*) which occur in the proposed project area. Middle Columbia River steelhead were listed as threatened under the Endangered Species Act on March 25, 1999 (64 FR 14517), and critical habitat has been designated (65 FR 7764). This opinion constitutes formal consultation for the Middle Columbia River steelhead. The NMFS concludes that the proposed action is not likely to jeopardize the subject species or destroy or adversely modify critical habitat. Included in the enclosed Opinion is an incidental take statement with terms and conditions to minimize the take of the subject species.

If you have any questions regarding this letter, please contact Nancy Munn in the Oregon State Branch Office at (503) 231-6269.

Sincerely,


for William Stelle, Jr.
Regional Administrator



cc: Rose Owens - ODOT
 Randy Floyd - ODOT (Biological Opinion)
 Chuck Howe - ODOT (Biological Opinion)
 Julie Bunnell - ODOT ((Biological Opinion)
 Art Martin - ODFW (Biological Opinion)
 Army Corps of Engineers (Biological Opinion)
 Oregon Division of State Lands

bcc: F/NWR - K. Cunningham
F/NWR4 -File copy, N. Munn, R. Tweten (electronic)
F/PR3 - Chief of Endangered Species
GCNW - M. Eames
F/NWR4 - Web Page (electronic only)

Cover Letter at: C:\WINDOWS\TEMP\Cover_Ltr~OSB2000-00631.wpd
Biological Opinion: J:\MUNN\REGION5\FORMAL\BO~OSB2000-0063.wpd

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